

Placed on 1st reading & referred to
Public Safety 2/22/22; 2nd reading
3/7/22; Substituted by PS 3/28/22

ORDINANCE NO. 06-2022

BY:

Baker, Bullock, Kepple, Litten,
O'Malley, Rader, Shachner

AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least two thirds of the members of Council amending Sections 351.026 Emergency During Heavy Snow Storms and 351.27 Parking Regulations During Emergency of the Lakewood Codified Ordinances to clarify and update those sections.

WHEREAS, Northeast Ohio has had several heavy snow events this winter; and

WHEREAS, in an effort to clarify automatic snow emergencies and declared snow emergencies changed to the Lakewood Codified Ordinances are necessary; and

WHEREAS, portions of the existing snow emergency ordinances are no longer enforced and should be corrected; and

WHEREAS, as set forth in Section 2.12 of the Third Amended Charter of the City of Lakewood, this Council by a vote of at least two thirds of its members determines that this ordinance is an emergency measure and that it shall take effect immediately and that it is necessary for the immediate preservation of the public property, health, and safety and to provide for the usual daily operation of municipal departments in that these changes should be effective this snow season; now, therefore

BE IT ORDAINED BY THE CITY OF LAKEWOOD, OHIO:

Section 1. That Section 351.26 Emergency During Heavy Snow Storms, of the Lakewood Codified Ordinances reading as follows:

351.26 EMERGENCY DURING HEAVY SNOW STORMS.

(a) Whenever, during any period of twenty-four hours or less, snow falls in the City or in a section thereof to a depth of four inches or more, an emergency is declared to exist in that such a heavy snow storm constitutes a serious public hazard impairing transportation, the movement of food and fuel supplies, medical care, fire, health and police protection, and other vital facilities of the City. Such emergency shall continue until an announcement by the Director of Public Safety that snow plowing operations have been completed, which announcement shall be made in the same manner as outlined in Section 351.27.

(b) On streets posted as emergency snow ban streets, an emergency shall exist without announcement as specified in Section 351.27 whenever four or more inches of snow has fallen within a twenty-four hour period and such emergency shall continue until plowing operations are completed or until twenty-four hours following the cessation of snow fall, whichever is earlier.

(c) On streets posted as 8:00 a.m. to 4:00 p.m. emergency streets, an emergency shall exist without announcement as specified in Sections 351.27 whenever

four or more inches of snow accumulates prior to 8:00 a.m. of a specific day and shall continue until plowing operation are complete or until 4:00 p.m. that day, whichever is earlier.

is hereby repealed.

Section 2. That Section 351.27 Parking Regulations During Emergency, of the Lakewood Codified Ordinances reading as follows:

351.27 PARKING REGULATIONS DURING EMERGENCY.

(a) Whenever such an emergency exists the Director of Public Safety shall request the cooperation of the local press and radio and television stations to announce the emergency and the time that emergency parking regulations will become effective, which time shall be no sooner than one hour after the first announcement, and such announcement, by two local radio stations, or two local television stations, or in a daily newspaper of general circulation in the City, shall constitute notice to the general public of the existence of the emergency. However, the owners and operators of motor vehicles shall have full responsibility to determine existing weather conditions and to comply with the emergency parking regulations.

(b) During the period of the emergency, the Director of Public Safety may prohibit the parking of any vehicles upon any or all of the City streets. During the emergency no person shall park or cause to be parked or permit to be parked or permit to remain parked or abandon or leave unattended, any vehicle of any kind or description upon such specified streets. However, vehicles may be parked for a period of not longer than three minutes for actual loading or unloading of passengers or not longer than thirty minutes for actual loading or unloading of property, provided no other ordinance restricting parking as to place or time is violated thereby.

(c) Notwithstanding the provisions of subsections (a) and (b) hereof, an emergency shall exist on streets posted as emergency streets and on streets posted as 8:00 a. m. to 4:00 p.m. emergency streets, without announcement when snow accumulation reaches the proportions as set forth in Section 351.26(b) and (c) and shall continue until such time as specified by Section 351.26(b) and (c).

is hereby repealed.

Section 3. That new Section 351.26 Snow Emergency and Parking During Heavy Snow Storms, of the Lakewood Codified Ordinances is hereby enacted to read as follows:

a) **On streets posted as emergency snow ban streets, an emergency shall exist without announcement** during any period of twenty-four hours or less, snow falls in the City or in a section thereof to a depth of four inches or more. An emergency is **automatically** declared to exist in that such a heavy snow storm constitutes a serious public hazard impairing transportation, the movement of food and fuel supplies, medical care, fire, health and police protection, and other vital facilities of the City. Such emergency shall continue until an announcement by the Director of Public Safety that snow plowing operations have been completed. The Director of Public Safety shall post the emergency on the City's website and all social media accounts.

(b) On **all other** streets within the City, the Director of Public safety may declare an emergency whenever four or more inches of snow has fallen within a twenty-

four hour period and such emergency shall continue until plowing operations are completed or until twenty-four hours following the cessation of snow fall, whichever is earlier. The Director of Public Safety shall request the cooperation of the news media in announcing the emergency. The emergency shall be posted to the City's website and social media accounts. The emergency shall not go into effect earlier than one hour after the announcement of the City-wide emergency.

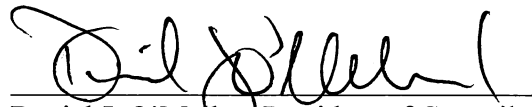
(c) During the period of the declared or automatic emergency, parking of any vehicles upon any or all of the City street shall be prohibited. During the emergency no person shall park or cause to be parked or permit to be parked or permit to remain parked or abandon or leave unattended, any vehicle of any kind or description upon such specified streets. However, vehicles may be parked for a period of not longer than three minutes for actual loading or unloading of passengers or not longer than thirty minutes for actual loading or unloading of property, provided no other ordinance restricting parking as to place or time is violated thereby.

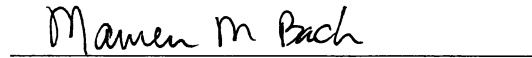
(d) Any motor vehicle parked in violation of this section may be impounded in accordance with the provisions of Section 303.08 and 351.22. In addition to the foregoing, any person who violates this section, is subject to the penalty provided under Section 303.99.

Section 4. It is found and determined that all formal actions of this Council concerning and relating to the passage of this ordinance were adopted in an open meeting of this Council, and that all such deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

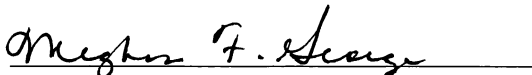
Section 5. This ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety and welfare in the City and for the usual daily operation of the City for the reasons set forth and defined in the preamble to this resolution, and provided it receives the affirmative vote of at least two thirds of the members of Council, this ordinance shall take effect and be in force immediately upon adoption by the Council and approval by the Mayor, or otherwise it shall take effect and be in force after the earliest period allowed by law.

Adopted 4/4/2022


Daniel J. O'Malley, President of Council


Maureen M. Bach, Clerk of Council

Approved 4/6/22


Meghan F. George, Mayor